

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

LANCE MALONE, MARY KINCAID-
CHAUNCEY, and DARIO HERRERA,

Defendants.

02:03-CR-00500-LRH (LRL)

ORDER

Presently before the court is defendant Dario Herrera's Motion for Jury Questionnaire and Additional Peremptory Challenges and Defendants' Motion for Individual Voir Dire (Docket No. 102). Also before the court is defendant Lance Malone's Motion for Jury Questionnaire and Individual Voir Dire (Docket No. 99). The Government has filed oppositions (Docket Nos. 112, 113). No replies were filed.

Defendants' requests for additional peremptory challenges, individual voir dire, and the submission of a jury questionnaire stem from concerns of pretrial publicity, which Defendants believe may result in prejudice. Upon review of the parties' points and authorities, relevant law, and the record as a whole, the court has determined that individual voir dire and jury questionnaires are appropriate for this case. Counsel for the defendants and the Government are directed to meet and confer in order to submit a joint proposed jury questionnaire by January 25, 2006. The proposed jury questionnaire should be limited to a reasonable number of questions not to exceed

1 one to two pages. It is unlikely that the court would consider using proposed questions that are not
2 agreed to by all parties to this action. With respect to Defendants' requests for additional
3 peremptory challenges, the court will reserve ruling until responses to the juror questionnaire have
4 been considered..

5 IT IS THEREFORE ORDERED that Dario Herrera's Motion for Jury Questionnaire and
6 Additional Peremptory Challenges and Defendants' Motion for Individual Voir Dire (Docket No.
7 102) is hereby GRANTED in part as stated in this order.

8 IT IS FURTHER ORDERED that Lance Malone's Motion for Jury Questionnaire and
9 Individual Voir Dire (Docket No. 99) is hereby GRANTED.

10 IT IS SO ORDERED.

11 DATED this 10th day of January, 2006.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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